

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

§  
**SOVERAIN SOFTWARE LLC,** §  
§  
**Plaintiff,** §  
§  
vs. §                   **CASE NO. 6:09-CV-274**  
§  
**J.C. PENNEY CORPORATION, INC.,** §  
**ET AL.,** §  
§  
**Defendants.** §

**VERDICT FORM**

In answering these questions, you are to follow the instructions I have given you in the Charge of Court.

1. Did Soverain Software prove by a preponderance of the evidence that Defendants' respective websites infringe any of the asserted claims of the '314 or '492 Patents?

Answer "Yes" or "No" for each listed asserted claim by writing "Yes" or "No" in the space provided. Each space should be answered.

'314 Patent	Avon.com	yourAvon.com	Victoriassecret.com
Claim 34	Yes	Yes	Yes
Claim 51	Yes	Yes	Yes

'492 Patent	Avon.com	yourAvon.com	Victoriassecret.com
Claim 15	Yes	Yes	Yes
Claim 17	Yes	Yes	Yes
Claim 39	Yes	Yes	Yes

2. Did Defendants prove by clear and convincing evidence that any of the following asserted claims of the '314 or '492 patents are invalid as anticipated or obvious?

If you find the asserted claim invalid, answer "Yes" or "No" for each listed asserted claim by writing "Yes" or "No" in the space provided. Answer for all asserted claims regardless of whether you have found those claims were infringed. Each space should be answered.

'314 Patent	Anticipated?	Obvious?
Claim 34	No	No
Claim 51	No	No

‘492 Patent	Anticipated?	Obvious?
Claim 15	No	No
Claim 17	No	No
Claim 39	No	No

## **DAMAGES**

ANSWER THIS QUESTION ONLY FOR THE ASSERTED CLAIMS YOU FOUND INFRINGED AND NOT INVALID, IF ANY. IF YOU FOUND NO CLAIMS INFRINGED AND NOT INVALID, PLEASE DO NOT ANSWER THIS QUESTION.

3. For each Defendant's website, what sum of money, if any, do you find from a preponderance of the evidence would fairly and reasonably compensate Soverain Software for each Defendants' infringement of the patent claims that you have found were infringed through the time of trial.

[avon.com](http://avon.com) \$ 8,215,000

yourAvon.com \$ 485,000

victoriassecret.com \$ 9,200,000

Signed this 18<sup>th</sup> day of November 2011

JURY FOREPERSON